

From: [Jan McCleery](#)
To: [Interim Plan@DeltaCouncil](#); [Rogers, Pat@DeltaCouncil](#)
Cc: ["Jan McCleery"](#)
Subject: RE: Second Draft Plan Comments
Date: Sunday, July 25, 2010 7:31:38 PM

The plan also needs to address prohibiting transfer of water from farmers to urban developments as that incorrectly assumes long-term water availability resulting in new developments built in areas without sufficient urban water.

We also need to monitor ground water usage to understand the status of the aquifers and the amount of water used in agriculture from the Delta versus ground water. And prohibit farmers who transfer their water rights to then use ground water (or charge for it).

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From: Jan McCleery [mailto:jmccleery@duckpondsoftware.com]
Sent: Sunday, July 25, 2010 7:17 PM
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Subject: Second Draft Plan Comments

RE: Second Draft of Interim Plan – COMMENTS

First, this version of the plan has many more points included that show consideration for the Delta Communities and the goal for a state water plan for regional self-sufficiency. That is to be applauded.

Some items that remain that are of concern are included below.

Page 5, second bullet, Line # 10-15:

Responsibilities of the Department of Water Resources (DWR), including efforts to cooperate in the construction and implementation of the Two-Gates Fish Protection Demonstration Project by December 1, 2010; evaluating the effectiveness of the Threemile Slough Barrier project; proceeding with other near-term actions as identified in the Delta Vision Strategic Plan; and assisting in implementing early action ecosystem restoration projects, including tidal marsh restoration in Dutch Slough and on Meins Island

The Two-Gates Fish Protection Demonstration Project places two gates/dams in two of the three waterways in the South Delta – blocking vessel traffic in and out of Discovery Bay during long timeframes. The result of installing these gates has been shown to be:

- (a) More likely harmful to the Delta Smelt than protecting them. The project was based on only a 1 in 5 year correlation between smelt and turbidity. More importantly, a more recent report on the Head of Old River barrier identifies that dams located mid-river like the Two Gates proposed area entrap smelt behind them and allow their predators to attack them. Not fish protection but fish elimination.
- (b) An extremely negative impact to the Delta communities' economies – affecting marinas and marine-based businesses in the area; thus negatively affecting home values.
- (c) A safety issue for boaters and marine rescue operations in the area
- (d) A negative impact on the quality of the water in Discovery Bay and potentially affect the health of the citizens using the water for swimming and recreation
- (e) An issue for the City of Discovery Bay to be able to safely discharge treated waste water
- (f) Unreasonably expensive, especially for a temporary experiment. Project costs more than doubled from original estimates and, not yet estimated, due to safety issue, expensive locks would be required, not inexpensive butterfly gates.

That is why the USBR decided to postpone the project for further analysis. **This plan should not specifically name the “Two-Gates” project but rather should recommend the DWR work to identify solutions to the fish entrapment issue.** The Two-Gates project is not such a solution.

Interim Plan Processes Page 6, Bullet 1

- *Provisions for amendment at the Council's discretion.*

This should be reworded that amendments also need to be approved by the Delta Conservancy Board, not just recommendations from the Council alone:

- Provisions for amendment at the Council's discretion with approval of the Delta Conservancy Board.

Page 7, Delta Water Flows

- **#2 Delta water flows.** *The Delta flow criteria developed by the SWRCB with contributions of the DFG will be one of the early considerations of Delta water flow. Over time, additional information will be added.*

The plan should include what priority meeting Delta water flows will have.

The recent scientific report stated, as has been known for years, that the primary stressor for the Delta is water exports. Yet exports continue and are increased. It's all well and good to know what is required for the health of the Delta – what responsibility does the plan have to address and meet the needs.

- **#5, Map of planned Delta land uses needs to include “access and navigation rights”.** A primary concern of South Delta residents is that many plans have no consideration for travel in the Delta and, in particular, the Two-Gates project would cut Discovery Bay off from the rest of the Delta.

- **#6 Finance Plan.** This bullet should be made more definitive. A plan cannot go forward without at a minimum an estimated Finance Plan. Instead of:

The Interim Plan can make progress on ... beginning to develop accurate and complete information on current finances ...

Recommend rewording to:

The Interim Plan will provide a cost estimate of the projects and efforts included in the plan, indicating the level of confidence in each estimate and date when detailed cost data is anticipated.

Anything less would be inadequate.

Submitted BY:

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